



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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5/4/04

In re: PATENT APPLICATION of
Inventor(s) Van Hamont, et al.

09/478 822

Appln. No. ~~08/698,896~~ (U.S. Patent No. 5,705,197)

Issued January 1, 1998

Group Art Unit: 1617

Reissue Filed: January 6, 2000

Examiner: T. Criares

Title: HYBRID SOLVENT EVAPORATION-EXTRACTION PROCESS FOR
PRODUCING PLGA MICROSPHERES

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Date: December 24, 2003 TECHNOLOGY CENTER R3700

RESPONSE TO OFFICE ACTION

Hon. Commissioner of Patents and Trademarks
Washington, DC 20231

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JAN 20 2004

TECH CENTER 1600/2900

Sir:

In response to the Office Action dated August 26, 2003, please amend the above-identified patent as follows.

IN THE CLAIMS:

Please amend new claims 11, 23, 26 and 27 as follows

11. An anhydrous process for preparing biodegradable polymer microspheres comprising the steps of:

a) blending a mixture of biodegradable polymer and a first organic solvent capable of dissolving the biodegradable polymer with one or both of a biologically active material and a biologically active material-stabilizer matrix;

b) adding with stirring to the product of step a) an oil containing a stabilizer, and evaporating at least a portion of the first organic solvent to form an emulsion containing microspheres of polymer;

c) adding to the emulsion of step b) a second non-polar organic solvent suitable

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